


CITY OF BROOKSVILLE

TO:

ACTION:

AGENDA ITEM NO. E-2
8-13-04

(X) Mayor Mary A. Staib	() As you requested
(X) Vice Mayor Joe Bernardini	(X) For your information
(X) Council Member Joseph E. Johnston III	() Appropriate action
(X) Council Member Richard E. Lewis	() Review and return
(X) Council Member E. E. "Ernie" Wever	() Review & route

FROM: Richard E. Anderson  DATE: August 12, 2004
City Manager

SUBJECT: Solid Waste Rate Schedule

In 1992 the Solid Waste Rate structure and service fee schedule was increased. After reviewing Reserve requirements and the Fund balance (which was higher then necessary at the time), the rates were revised/reduced in 1997 and again in 1998. Although costs have increased, rates have been maintained, and the Fund balance was allowed to gradually decrease. Last year rates should have been adjusted to create acceptable reserves, however, consideration was deferred as the Public Service Tax was being implemented.

In order to fund the replacement Reserves and maintain a positive Fund balance, reestablishing the previous rate schedule (adjusted to reflect the cost of providing certain categories of service) is proposed.

In addition to reduction of day labor usage (see Public Works Director memo dated July 29, 2004,), which will reduce expenses by about \$32,000 plus future savings through attrition, I recommend that the following modifications be implemented.

1. Adjust the multi-family can rate to include disposal charges (equivalent to existing commercial can rate of \$24.90) as outlined in Public Works Director memo dated July 30, 2004, (see attached). Revenue would increase by about \$30,000.
2. Reestablish 1994 dumpster rate schedule (rates have been periodically reduced in the intervening years). Revenue would increase by about \$50,000.
3. Adjust residential yard trash/household services to the standards on which the existing rate schedule was determined, and invoice for additional services (excess quantities, etc.), which would reduce costs by apparently \$50,000 or generate offsetting revenue.

CITY OF BROOKSVILLE

MEMORANDUM

To: Richard Anderson, City Manager
Steve Baumgartner, Director of Finance

Date: August 9, 2004

From: Emory H. Pierce, Director of Public Works
Will Smith, Utility Superintendent
Laureen Buscca, Administrative Assistant II



Re: Sanitation Division Expense/Revenue Analysis and
Vehicle Replacement Schedule (CORRECTED VERSION)

Due to the Sanitation Division budgetary concerns, we have conducted a thorough review of our current expenses (actual expenses from Oct 2003 until the end of April 2004, and projected for the remaining 5 months) compared with the revenues generated by residential garbage collection, and the commercial can and dumpster routes (known as service categories). There are a number of expenses that are hard to quantify and we have divided them up between the various service categories based on a "PRORATION FACTOR" derived from the total man hours actually worked by the drivers in each service category divided by the 200 total man hours of driver time available each week.

On the Expense/Revenue chart (attached, p2):

- Day labor cost is actual cost of the day labor man hours devoted to each service category.
- Sanitation employee salaries are divided according to the actual hours they work in each service category.
- Waste Disposal is actual waste disposal cost to the County Landfill and is only split between the dumpster and commercial can service categories.
- Dumpster purchase is applied only to dumpster service category.
- Revenues are calculated using actual figures from Customer Service.
- Average Vehicle Replacement Cost is an estimate of annual debt service costs based on the service life that we have experienced for each vehicle (attached, p5).
- Personnel Services and all Operating Expenses (except for Waste Disposal and Dumpster Replacement Cost) are prorated as indicated:

Residential route:	Ed Johnson	40 hrs/wk	100%
	Roy Warner	30 hrs/wk	.75
Proration factor		70/200	.35

Commercial Can:	Roy Warner	10 hrs/wk	.25
Proration factor		10/200	.05

Dumpster Route:	Mike McQuown	40 Hrs/wk	100%
Proration factor		40/200	.20

Boom Service:	Jerome Fribley	40 hrs/wk	100%
	David Swackard	40 hrs/wk	100%
Proration factor		80/200	.4

In addition to the problem of prorating various expenses we had to make some assumptions about where to put certain revenue amounts. In general we have the following rates/billing categories and all revenues were accounted for in one of the three categories as listed below:

- I. RESIDENTIAL CURBSIDE @ \$13.80/MO/UNIT W/1800 ACCOUNTS
- II. COMMERCIAL CURBSIDE @\$24.90/MO/UNIT W/170 ACCOUNTS AND
220 APT. UNITS @ \$13.80/MO/UNIT
- III. REGULAR COMMERCIAL DUMPSTER ACCOUNTS WITH RATES VARYING
BASED ON THE SIZE DUMPSTER AND THE NUMBER OF PICKUPS PER WEEK
BUT GENERATING ABOUT \$41,000/MO IN REVENUE.
PLUS 490 APT. UNITS BEING BILLED INDIVIDUALLY @\$11.90/MO/UNIT FOR
DUMPSTER SERVICE

What our analysis shows is that boom truck/trash pick up is a larger part of the overall sanitation service than we imagined. When we purchased a second boom truck several years ago it was intended to replace the older truck which was then to become a "back-up" and only run when the new truck was out of service. Due to an increase in demand for this service category we essentially have two boom trucks in operation all of the time. However, when we have drivers out, we cut back on the boom truck hours to keep the regular service categories at 100%. Several factors have led to the Sanitation Dept losses:

- I. General inflation increasing all costs.
- II. Transfer of one employee from the utilities Dept to Sanitation in October of 2000.
- III. Two rate decreases: one starting Oct. 1997 that decreased dumpster rates about 6% (resolution 92-27), and a second decrease effective Oct. 1998 that decreased all rates about 5% (resolution 98-25). It appears that the 92-27 resolution that decreased dumpster rates may have also increased residential rates from \$9.87/unit/mo to \$14.50/unit/mo and in reality there has only been one residential rate decrease by resolution 98-25.
- IV. Expansion of boom truck/trash pick up services.
- V. Undercharging for commercial can service in some apartment complexes. There are approximately 220 apartment units receiving commercial can service and only paying the regular residential rate of \$13.80/mo rather than the commercial can rate of \$24.90/mo.
- VI. Rate structure never adjusted for transfers to the internal service fund which started about 2000.

In order to correct this situation, we need to do the following:

- I. Increase the residential rates back to the previous level in effect prior to Oct. 1998 of \$14.50/unit/mo as per Resolution 97-27 (D) This would generate $(1800 \times (14.5 - 13.8) \times 12)$ \$15,120 additional revenue.
- II. Ensure that all commercial can service units are paying \$24.90/mo. This could generate about $(220 \times (24.90 - 13.80) \times 12)$ \$29,304 additional revenue.
- III. Switch to one day laborer on the back of each truck. This would mean using only two each day in Sanitation. In that case we would expect contract labor to be \$ 13.00 per hour, cutting our day labor cost dramatically to an annual amount of approximately \$54,080. This should save about \$32,000/yr from our current projected contract labor cost of \$86,000/yr. Unfortunately we cannot cut our expenses in half because with just one person on the back of each truck a lot more work is involved and we will need to pay a slightly higher hourly rate to get dependable enough people to do this extra work.

The above analysis and all the data from finance is assuming that 100% of each expense category will actually be spent. THIS HAS NEVER BEEN THE CASE. In general only about 95% of the budgeted expenses actually get used. The end of May finance report for Sanitation is showing a positive expense budget variance of \$36,570. If we incorporate this into our numbers the shortfall is reduced to (324,102-36,570) \$287,535 and therefore we can skip or delay some of the options (A - I) listed above.

Under no circumstances should we consider raising the current commercial can rate of \$24.90/unit/mo, although at one time it was \$26.20/unit/mo, as per Resolution 97-27(B). We may not want to raise the residential rate either because this will effect a lot of residents and going back to the previous rate of \$14.50/unit/mo will only generate about \$20,000+ additional revenue and will still not have that service category really covering all expenses.

In order to generate additional revenue from the boom truck service considerable time will need to be spent on writing much clearer guidelines on what will trigger an extra charge and how much that charge will be. The current form being used is attached.

REQUEST FOR BILLING

DATE _____

BILL TO _____
(Name)

ADDRESS _____

DATE _____

TIME _____

SERVICES
RENDERED _____

AMOUNT _____

TOTAL AMOUNT TO BE BILLED _____

SUBMITTED BY _____

Department or Division _____

Social Security Number

Driver's License Number

Signature

RESOLUTION NO. 98-25

A RESOLUTION OF THE CITY OF BROOKSVILLE,
FLORIDA ESTABLISHING SERVICE CHARGES AND
RATES FOR SOLID WASTE COLLECTION SERVICES;
PROVIDING FOR SEVERABILITY AND CONFLICT; AND
PROVIDING AN EFFECTIVE DATE.

WHEREAS, due to the constantly fluctuating costs associated with inspecting, collecting, handling, hauling and disposal solid waste in the City of Brooksville, Ordinance No. 557 authorizes the establishment of monthly services charges and rates for solid waste services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, that the following monthly service charges and rates for solid waste services shall be paid to the City, which service charges and rates shall be included on the regular monthly statement for utility services, or other appropriate billing form as shall be determined by the City.

FURTHER, in order to cover the above solid waste service costs, the following monthly service charges and rates are hereby established.

A. COMMERCIAL COLLECTION

1. Monthly Service Charges: The charges for commercial collection are based on size of container, number of pickups per week and "compactability" of refuse, as follows:

Monthly Charge
Number of Pickups per Week

POSTED
10-6-98
wm

Container (a) Compaction (b,c)

Size	Designation	1	2	3	4	5	6
2 CY	High	\$ 55.40	\$ 74.55	\$ 93.60	\$ 112.75	\$ 131.85	\$ 151.00
2 CY	Low	66.45	96.65	126.85	157.05	187.20	217.40
4 CY	High	74.50	112.75	151.00	189.25	227.50	265.70
4 CY	Low	90.45	157.05	217.40	277.80	338.15	398.50
6 CY	High	93.60	151.00	208.35	265.70	323.05	380.45
6 CY	Low	126.85	217.40	307.95	398.50	489.05	579.60
8 CY	High	112.75	189.25	265.70	342.20	418.65	495.15
8 CY	Low	157.05	277.80	398.50	519.30	639.95	760.70

Notes: a. "CY" indicates cubic yard(s).

directly to the customer by the collector, whichever is greater.

2. Monthly Charges for City Provided Service: The monthly service charge for compactor service provided by the city shall be based on the cubic yard capacity of the compactor or roll-off service shall be assessed at sixteen dollars (\$16.00) per cubic yard collected during the month. In addition, if the compactor equipment is provided by the city, a monthly rental rate will be charged for the compactor and associated equipment, which represents the actual cost of such compactor and associated equipment to the city, amortized on a monthly basis over the life expectancy of such equipment, plus the estimated average costs of repairs and maintenance.

D. RESIDENTIAL CURBSIDE COLLECTION

1. Monthly Service Charges: The monthly service charge for curbside service for each single-family residence, dwelling unit or living unit not receiving commercial or residential centralized service is thirteen dollars and 80 cents (\$13.80) per month per unit for those customers who annually pay for disposal in their property tax statement.

For those periods of time where the customer has made application to the City for a vacancy rate as provided for in Section 7-61 of the Brooksville Code of Ordinances, the monthly service charge shall be three dollars (\$3.00).

For those customers who have exceeded the quantity limitation of five (5) containers or bundles on any given day of collection, an additional charge of fifty cents (\$0.50) per each such container or bundle shall be added to the monthly charge.

E. RESIDENTIAL CENTRALIZED SERVICE

1. Monthly Service Charges: The monthly service charge for residential centralized collection service for each individual dwelling or living unit not receiving commercial or residential curbside service is eleven dollars and 90 cents (\$11.90) per month per unit.

- a. All residential call backs or extra pickups, ten dollars (\$10.00) per pickup;
- b. Commercial customers serviced by residential trucks, call backs, or extra pickups, ten dollars (\$10.00) per pickup;
- c. Commercial (dumpster) service, forty-eight dollars (\$48.00) per pickup for call backs or extra pickups;
- d. Nonrecurring on-call dumpster or roll-off service for contractors, thirty-six dollars (\$36.00) per pickup, plus six dollars (\$6.00) per yard of container capacity up to eight (8) cubic yards. The fee for containers with capacity in excess of eight (8) cubic yards will be fifty-six dollars (\$56.00), plus five dollars (\$5.00) per cubic yard of container capacity.
- e. Large volume pickups by the boom truck, other than regularly scheduled boom truck service (defined as bulky item special service or other special service requested) provided to residential curbside customers, based on the City's estimate of volume, shall be charged as follows:

ESTIMATED VOLUME

RESOLUTION NO. 97-27

A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA
ESTABLISHING SERVICE CHARGES AND RATES FOR SOLID WASTE
COLLECTION SERVICES; PROVIDING FOR SEVERABILITY AND
CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, due to the constantly fluctuating costs associated with inspecting, collecting, handling, hauling and disposal solid waste in the City of Brooksville, Ordinance No. 557 authorizes the establishment of monthly services charges and rates for solid waste services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, that the following monthly service charges and rates for solid waste services shall be paid to the City, which service charges and rates shall be included on the regular monthly statement for utility services, or other appropriate billing form as shall be determined by the City.

FURTHER, in order to cover the above solid waste service costs, the following monthly service charges and rates are hereby established:

A. COMMERCIAL COLLECTION

1. Monthly Service Charges: The charges for commercial collection are based on size of container, number of pickups per week and "compactability" of refuse, as follows:

		Monthly Charge					
		Number of Pickups per Week					
Container(a)	Compaction(b,c)						
Size	Designation	1	2	3	4	5	6
2 CY	High	\$ 58.30	\$ 78.45	\$98.55	\$118.70	\$138.80	\$158.95
2 CY	Low	69.95	101.75	133.50	165.30	197.05	228.85
4 CY	High	78.45	118.70	158.95	199.20	239.45	279.70
4 CY	Low	95.20	165.30	228.85	292.40	355.95	419.45
6 CY	High	98.55	158.95	219.30	279.70	340.05	400.45
6 CY	Low	133.50	228.85	324.15	419.45	514.80	610.10
8 CY	High	118.70	199.20	279.70	360.20	440.70	521.20
8 CY	Low	165.30	292.40	419.45	546.60	673.65	800.75

Notes:

a. "CY" indicates cubic yard(s).

of one dollar (\$1.00) shall be made for each additional can, bag or bundle. Commercial curbside customers requesting backdoor or through-the-door service will be charged at the two (2) cubic yard commercial bulk container rate, according to the compaction designation of the refuse.

C. COMMERCIAL COMPACTOR AND ROLL-OFF SERVICE

1. Private Collector Monthly Service Charges: In accordance with the requirements of Section 7-42 of the Brooksville Code of Ordinances, a commercial customer utilizing the services of a private contractor authorized by the city to provide compactor or roll-off service shall be assessed a monthly service charge for each customer of fifteen dollars (\$15.00), or that amount representative of five dollars (\$5.00) for each pickup and disposal of compacted refuse performed by the collector during the month covered by the monthly invoice rendered directly to the customer by the collector, whichever is greater,

2. Monthly Charges For City Provided Service: The monthly service charge for compactor service provided by the city shall be based on the cubic yard capacity of the compactor or roll-off service shall be assessed at sixteen dollars (\$16.00) per cubic yard collected during the month. In addition, if the compactor equipment is provided by the city, a monthly rental rate will be charged for the compactor and associated equipment, which represents the actual cost of such compactor and associated equipment to the city, amortized on a monthly basis over the life expectancy of such equipment, plus the estimated average costs of repairs and maintenance.

D. DIVISION 3. RESIDENTIAL CURBSIDE COLLECTION

1. Monthly Service Charges: The monthly service charge for curbside service for each single-family residence, dwelling unit or living unit, not receiving commercial or residential centralized service is fourteen dollars and fifty cents (\$14.50) per month per unit for those customers who annually pay for disposal in their property tax statement.

For those periods of time where the customer has made application to the City for a vacancy rate as provided for in Section 7-61 of the Brooksville Code of Ordinances, the monthly service charge shall be three dollars (\$3.00).

ESTIMATED VOLUME

<u>Fee</u>	<u>Cubic Yards</u>
\$ 15.00	Up to 2
\$ 35.00	3 - 4
\$ 55.00	5 - 6
\$ 75.00	8 - 10
\$ 95.00	11 - 12
\$115.00	13 - 14
\$145.00	15 - 17
\$165.00	17 - 18
\$185.00	19 - 20

G. SEVERABILITY: If any provision of the resolution or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications, and to this end, the provisions of this resolution are hereby declared severable.

H. REPEALER: This resolution hereby repeals all resolutions in conflict herewith.

I. EFFECTIVE DATE This resolution shall take effect as of the October, 1997 billing.

ADOPTED this 15th day of September 1997.

CITY OF BROOKSVILLE, FLORIDA

BY: Joseph E. Johnston, III
Mayor

ATTEST: Karen M. Phillips
Karen M. Phillips, CMC, City Clerk
City Clerk

VOTE OF COUNCIL:

Approved as to Form and Content
for the Reliance of the City of
Brooksville only.

Robert B. Battista
Robert B. Battista, City Attorney

Brayton	<u>Aye</u>
Johnston	<u>Aye</u>
Lewis	<u>Aye</u>
Staib	<u>Aye</u>
Wever	<u>Aye</u>

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SCHEDULE A. COMMERCIAL

PER MONTH CHARGES BASED ON SIZE OF CONTAINER, NUMBER OF PICKUPS
PER WEEK, AND COMPACTIBILITY OF REFUSE

Monthly Charge
Number of Pickups per Week

Container ⁽¹⁾	Compaction ^(3,4)	1	2	3	4	5	6	
Size	Designation							
2	CY	High	\$ 62.34	\$ 83.85	\$105.36	\$126.88	\$148.39	\$169.90
2	CY	Low	74.79	108.75	142.72	176.69	210.66	244.62
4	CY	High	83.85	<u>126.88</u>	169.90	212.93	255.96	298.98
4	CY	Low	108.75	176.69	244.62	312.55	380.48	448.40
6	CY	High	105.36	169.90	234.44	298.98	363.52	428.06
6	CY	Low	142.72	244.62	346.51	448.40	550.31	652.20
8	CY	High	126.88	<u>212.93</u>	298.98	385.03	471.08	557.13
8	CY	Low	176.69	312.55	448.40	584.27	720.13	855.99
Special Commercial ⁽²⁾				26.73				

Notes:

(1) CY indicates cubic yard.

(2) The special category is limited to those customers defined as commercial by the Code or City Charter which do not generate sufficient quantities of refuse, garbage or trash to justify the use of a container or receptacle, as provided by the city and/or do not have sufficient space to accommodate a container of minimum size. This service is limited to five (5) cans, bags, or bundles picked up twice a week.

(3) High compaction refuse is defined as office and store refuse which includes mainly paper, unbroken down boxes, and a minor amount of food scraps. This category specifically excludes those customers compacting the refuse prior to placement in the city provided receptacle.

(4) Low compaction refuse is defined as:

- (a) Restaurant generated refuse;
- (b) Construction debris;
- (c) Noncompacting paper such as newspaper, broken down boxes or shipping cartons;
- (d) Refuse compacted prior to placement in the city provided receptacle; and
- (e) Household garbage (this is specifically to include all mobile home parks not receiving the residential curbside service and any multifamily dwelling units not classified as residential centralized).

CITY OF BROOKSVILLE

MEMORANDUM

To: Richard Anderson, City Mgr.

Date: August 10, 2004

From: Emory Pierce, Director of Public Works



Re: Sanitation Revenue Analysis Resolution Clarifying Boom Truck Fee

What our analysis shows is that boom truck/trash pick up is a larger part of the overall sanitation service than we imagined. When we purchased a second boom truck several years ago it was intended to replace the older truck which was then to become a "back-up" and only run when the new truck was out of service. Due to an increase in demand for this service category we essentially have two boom trucks in operation all of the time, except when we have drivers out, we cut back on the boom truck hours to keep the regular service categories at 100%.

Another factor contributing to our boom truck operating expenses is a great deal of confusion about what is supposed to be picked up, for no additional charge, and what customers are eligible for this free service. Also, when the service is not free, determining what to charge has not been clear nor have our rates increased since 1997. Part of the problem has been that this information has been scattered through various ordinance sections and resolutions. A recap of the ambiguities in the relevant resolutions and ordinance sections follows:

SEC 7-4(6) Prohibits free pickup of debris, limbs, and etc. generated by contractors.

This conflicts with the free pickup of large and bulky items as per SEC 7-59(d) and 7-76(a) How is City staff supposed to tell if a pile of material was put there by the homeowner or his contractor?

SEC 7-59(d) Clearly states that large and bulky items including foliage are to be picked up for free during regularly scheduled boom truck collection times.

Does not make it clear if this is restricted to residential properties paying the County Solid Waste Assessment which would exclude all commercial properties and apt. complexes with five or more units.

Does not clarify or provide any weight or volume limitations.

Staff has been picking up volumes under, "a pickup truck load" (which is about equivalent to two cubic yards), furniture, and appliances essentially for free at single residences.

RESOLUTION 98-25(E) Has a fee/volume schedule for large volume pickups at Residential Centralized Service customers which includes some apt. complexes.

RESOLUTION 97-27(F) Has exactly the same fee/volume schedule but it is specifically referring to Special Service rates for large volume pickups.

Also, our procedure for informing customers about additional charges has been very labor intensive.

DRAFT

RESOLUTION NO.

**A RESOLUTION OF THE CITY OF BROOKSVILLE,
FLORIDA ESTABLISHING SERVICE CHARGES AND
RATES FOR SOLID WASTE SPECIAL SERVICE
COLLECTION SERVICES RELATED TO YARD TRASH,
CONSTRUCTION DEBRIS, WHITE GOODS, AND OTHER
ITEMS, THAT CANNOT BE INCLUDED WITH THE
REGULARLY SCHEDULED RESIDENTIAL OR
COMMERCIAL SOLID WASTE COLLECTION SERVICE.**

WHEREAS, due to the constantly fluctuating costs associated with inspecting, collecting, handling, hauling, and disposal of solid waste in the City of Brooksville, Ordinance No. 557 authorizes the establishment of monthly service charges and rates for solid waste special services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, that the following rates for solid waste services shall be paid to the City, which service charges and rates shall be included on the regular monthly statement for utility services, or other appropriate billing form as shall be determined by the City.

FURTHER, in order to cover the above solid waste service costs, the following service charges and rates are hereby established:

A. The pickup of the following household items shall require a minimum fee of \$15.00 be paid to the City for each item.

1. Chair
2. Couch
3. Mattress with or without bed frame and box spring.
4. Stove
5. Refrigerator
6. Other items of similar nature and not exceeding 200 lbs in weight or a volume of two cubic yards.
7. Similar items over 200 lbs will require an added fee of \$10.00 for every additional 100 lbs of weight or cubic yard of volume or increment thereof up to 800 lbs or 8 cubic yards.
8. Items weighing over 2200 lbs cannot be picked up by the City.
9. Similar items over 8 cubic yards, but weighing less than 2200 lbs shall require a fee to be paid to the City in accordance with paragraph F.

DRAFT

F. ESTIMATED VOLUME

<u>FEE</u>	<u>CUBIC YARDS</u>
\$ 15.00	Minimum
\$ 35.00	Over 2-4
\$ 55.00	Over 4-6
\$ 75.00	Over 6-8
\$100.00	Over 8-10
\$125.00	Over 10-12
\$150.00	Over 12-14
\$175.00	Over 14-16
\$200.00	Over 16-18 maximum truckload

DRAFT

G. SEVERABILITY: If any provision of the resolution or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications, and to this end, the provisions of this resolution are hereby declared severable.

H. REPEALER: This resolution hereby repeals all resolutions and ordinances, or parts thereof, in conflict herewith.

I. EFFECTIVE DATE: This resolution shall take effect as of the October _____ billing.

ADOPTED this _____ day of September 2004.

CITY OF BROOKSVILLE, FLORIDA

BY: _____
MARY A. STAIB, MAYOR

ATTEST: _____
Karen M. Phillips, CMC, City Clerk

VOTE OF COUNCIL:

Approved as to Form and Content for the Reliance of the
City of Brooksville only:

Bernardini _____
Johnston _____
Lewis _____
Staib _____
Wever _____

David La Croix, City Attorney

DRAFT

or such service which is provided on an "on call" basis; for example, contractor, etc., and for which a special service charge is applied.

Yard trash means vegetative matter resulting from landscaping and yard maintenance operations and includes materials such as tree and shrub trimmings, leaves, grass clippings, palm fronds, trees and tree stumps subject to normally scheduled trash collection.

(Code 1974, § 10-2; Ord. No. 424, § 1a, 4-20-87; Ord. No. 538, § 1, 5-16-94)

Cross reference—Definitions and rules of construction generally. § 1-2.

Sec. 7-3. Disposition of refuse.

The city council shall have the power to provide for the collection and disposal by the city of garbage, ashes, trash, wastepaper, or any other refuse.

(Laws of Fla., 1931, Ch. 15103, § 2)

Sec. 7-4. Prohibited acts.

It shall be unlawful for any person to do any of the following:

- (1) To place or cause to be placed any garbage or trash upon the property of another, except as provided in this chapter;
- (2) To collect and/or dispose of solid waste or refuse within the city limits as a commercial venture without either a franchise having been granted or a contract executed by or with the city pursuant to the provisions contained in this chapter;
- (3) To deposit or dispose of any refuse on the paved or traveled portion of any public street, alleyway, sidewalk, bikepath, stream, ditch, river, pond, bay, creek, park or public place in the city, except at areas as may be designated by the city;
- (4) To deposit, dump or dispose of any garbage or trash at, upon, or in any incinerator or landfill without first obtaining the permission of the custodian thereof;
- (5) To burn any refuse within the city, except at designated incinerators or landfills, without first obtaining a permit from the city;
- (6) To produce or accumulate any refuse such as building wastes or tree branches while acting in the capacity of a contractor (such as a tree surgeon, landscaper or building contractor), without removal of the same to a designated disposal area. This prohibition does not apply to those individuals who have contracted with the city to remove such refuse under the "special services" provisions of this chapter;
- (7) To allow any scattered refuse to remain at or near the curbside, or to fail to remove any windblown or animal-scattered refuse from the public area and right-of-way which have blown or otherwise scattered from the dwelling residence curbside collection point;
- (8) To place any refuse out for collection by any alley, service drive, easement or right-of-way not serviced by city trucks;
- (9) To place any garbage, trash or refuse out for collection adjacent to the street if city trucks service the area from any established alley;
- (10) To place any garbage, trash or refuse in an underground container for pickup;
- (11) To do any act prohibited or failure to do any act required by the regulations affecting the collection and disposal of refuse within the city;
- (12) To dump or dispose of garbage, trash, litter, solid waste materials and all other forms of matter or things being disposed of or abandoned, into commercial garbage bins owned by the city, by anyone other than the business or entity to which such bin is assigned. It shall be prima facie evidence of a violation of this subsection if the disposed of or abandoned material, as outlined in this subsection, can be established as having originated with a particular individual and he has allowed it to be so dumped, discarded or abandoned in any area other than an approved solid waste landfill;
- (13) To dispose of either hazardous wastes or infectious wastes in containers either provided by the city or which shall be collected

considered occupied and a service charge will be applied for each month that either a water bill is prepared for domestic consumption or for the individual unit for which water service was provided through a master meter for such use, regardless of whether the dwelling unit is actually occupied. A fee shall also be set by city council, by resolution, for those customers who make application to the city for periods when the dwelling will be vacant. Such period in which this vacancy rate shall apply shall not be less than three (3) consecutive monthly billing periods. An additional fee shall also be set by city council, by resolution, for those customers who have exceeded the quantity limitation of five (5) containers or bundles on any given day of collection, which will be added to the monthly charge. (Code 1974, § 10-6(f); Ord. No. 439, § 1b, 3-7-88; Ord. No. 495, § 1, 6-17-91; Ord. No. 557, § B.1, 4-15-96)

Sec. 7-62. Residential centralized collection service.

(a) *Delineation.* Residential centralized collection service shall consist of centralized collection service of all refuse generated from a development or group of dwelling units at a given source location.

(b) *Preparation, storage and placement for collection:*

- (1) *Garbage and household trash.* All garbage and trash shall be placed in the solid waste receptacle(s) furnished in a centralized location, and shall be drained free of all liquids prior to accumulation for collection. Storage areas and areas adjacent to the storage areas shall be maintained by the customers in a neat, sanitary and sightly manner. Customers are responsible for maintaining the accessibility to storage containers or areas. Collections which are agreed to, but missed due to a customer's failure to maintain accessibility, shall not constitute a violation of this section on the part of the city. Customers are required to keep all refuse in the containers and to keep the container lids closed. The city shall not be responsible for refuse clean-up or collection of any refuse not placed in the proper

receptacles. Collection receptacles, other than commercial dumpsters, provided by the city, shall not exceed forty (40) pounds in weight including the refuse contained therein.

- (2) *Garden and lawn trash.* All garden and lawn trash, and other types of rubbish generated from discarded foliage shall be collected as a special service on an on-call basis, and shall be rendered at the rates specified for such service contained in section 7-76(b).

(c) *Limitations as to size and quantity.* For those units being served by individual containers, rather than a dumpster provided by the city, such container shall not exceed forty (40) pounds in weight, including contents and shall be limited to two (2) containers per dwelling unit. Any resident or customer exceeding this quantity will be additionally billed fifty cents (\$0.50) per each such additional container per pick-up.

(d) *Service charges.* In order to cover the cost of collection, hauling and disposing of residential centralized service refuse, City Council shall set, by resolution, service charges which shall be paid monthly to the city, which charges shall either be included on the regular monthly statements for utility service, or other appropriate billing form as shall be determined by the city. Such charges are mandatory for each occupied dwelling unit not receiving commercial or residential curbside collection service as defined in the Code of the City of Brooksville. A dwelling unit is considered occupied and a service charge will be applied for each month that either a water bill is prepared for domestic consumption or for the individual unit for which water service was provided through a master meter for such use regardless of whether or not the dwelling unit is actually occupied. (Code 1974, § 10-15; Ord. No. 495, § 1, 6-17-91; Ord. No. 557, § B.3, 4-15-96)

Secs. 7-63—7-75. Reserved.

DIVISION 4. SPECIAL SERVICE

Sec. 7-76. Conditions; schedule, rates.

(a) *Delineation.* Any refuse or waste which, by reason of its bulk, shape or weight, cannot be

directly to the customer by the collector, whichever is greater.

2. Monthly Charges for City Provided Service: The monthly service charge for compactor service provided by the city shall be based on the cubic yard capacity of the compactor or roll-off service shall be assessed at sixteen dollars (\$16.00) per cubic yard collected during the month. In addition, if the compactor equipment is provided by the city, a monthly rental rate will be charged for the compactor and associated equipment, which represents the actual cost of such compactor and associated equipment to the city, amortized on a monthly basis over the life expectancy of such equipment, plus the estimated average costs of repairs and maintenance.

D. RESIDENTIAL CURBSIDE COLLECTION

1. Monthly Service Charges: The monthly service charge for curbside service for each single-family residence, dwelling unit or living unit not receiving commercial or residential centralized service is thirteen dollars and 80 cents (\$13.80) per month per unit for those customers who annually pay for disposal in their property tax statement.

For those periods of time where the customer has made application to the City for a vacancy rate as provided for in Section 7-61 of the Brooksville Code of Ordinances, the monthly service charge shall be three dollars (\$3.00).

For those customers who have exceeded the quantity limitation of five (5) containers or bundles on any given day of collection, an additional charge of fifty cents (\$0.50) per each such container or bundle shall be added to the monthly charge.

E. RESIDENTIAL CENTRALIZED SERVICE

1. Monthly Service Charges: The monthly service charge for residential centralized collection service for each individual dwelling or living unit not receiving commercial or residential curbside service is eleven dollars and 90 cents (\$11.90) per month per unit.

- a. All residential call backs or extra pickups, ten dollars (\$10.00) per pickup;
- b. Commercial customers serviced by residential trucks, call backs, or extra pickups, ten dollars (\$10.00) per pickup;
- c. Commercial (dumpster) service, forty-eight dollars (\$48.00) per pickup for call backs or extra pickups;
- d. Nonrecurring on-call dumpster or roll-off service for contractors, thirty-six dollars (\$36.00) per pickup, plus six dollars (\$6.00) per yard of container capacity up to eight (8) cubic yards. The fee for containers with capacity in excess of eight (8) cubic yards will be fifty-six dollars (\$56.00), plus five dollars (\$5.00) per cubic yard of container capacity.
- e. Large volume pickups by the boom truck, other than regularly scheduled boom truck service (defined as bulky item special service or other special service requested) provided to residential curbside customers, based on the City's estimate of volume, shall be charged as follows:

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For those customers who have exceeded the quantity limitation of five (5) containers or bundles on any given day of collection, an additional charge of fifty cents (\$0.50) per each such container or bundle shall be added to the monthly charge.

E. RESIDENTIAL CENTRALIZED SERVICE

1. Monthly Service Charges: The monthly service charge for residential centralized collection service for each individual dwelling or living unit not receiving commercial or residential curbside service is twelve dollars and fifty cents (\$12.50) per month per unit.

F. SPECIAL SERVICE COLLECTION

1. Special Service Rates: The following special service rates shall be billed directly to the requesting party on the regular monthly statements for utility service:

- a. All residential call backs or extra pickups, ten dollars (\$10.00) per pickup;
- b. Commercial customers serviced by residential trucks, call backs, or extra pickups, ten dollars (\$10.00) per pickup;
- c. Commercial (dumpster) service, forty-eight dollars (\$48.00) per pickup for call backs or extra pickups;
- d. Nonrecurring on-call dumpster or roll-off service for contractors, thirty-six dollars (\$36.00) per pickup, plus six dollars (\$6.00) per yard of container capacity up to eight (8) cubic yards. The fee for containers with capacity in excess of eight (8) cubic yards will be fifty-six dollars (\$56.00), plus five dollars (\$5.00) per cubic yard of container capacity.
- e. Large volume pickups by the boom truck, other than regularly scheduled boom truck service (defined as bulky item special service or other special service requested) provided to residential curbside customers, based on the City's estimate of volume, shall be charged as follows: